UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,783	03/12/2004	Tohru Mamata	008312-0308754	5615

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EXAMINER
KARIMI, PEGEMAN

ART UNIT	PAPER NUMBER
2609	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/01/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 March 2004*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *03/12/2004*.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Priority

1.   Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which

papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Luther

Weindorf (U.S. Pub. No. 2002/0118182 A1).

As to claim 1, Luther Weindorf (Fig. 1) discloses an information processing

device (computer, paragraph 23, line 12) comprising:

a display unit (100) whose display brightness is changeable (Paragraph 34, lines

2-3);

means (114) for detecting the lightness of surroundings (paragraph 29, lines 9-

12);

means (352) for determining a target display brightness (paragraph 61, lines 1-4)

of the display unit responsive to the lightness detected by the means (114) for detecting

the lightness (Paragraph 29, lines 9-12);

means (320) for changing the display brightness (Paragraph 34, lines 2-3) of the display unit in steps (Table 1, Sn) until the target display brightness (desired brightness step, paragraph 72, lines 14-15) is reached when changing the display brightness to the target display brightness determined by the means (352) for determining the target display brightness (Paragraph 61, lines 1-4). (Note that when the ambient light changes are large the device waits for a certain time then it jumps to the targeted display brightness).

As to claim 9, this claim differs from claim 1 only in that claim 1 is apparatus where as claim 9 is method. Thus, method claim 9 is analyzed as previously discussed with respect to claim 1 above. Claim 9 is broader than claim 1 because it deletes the limitation "when changing the display brightness to the target display brightness" as recited in claim 1.

As to claims 2, 4, and 6, Luther Weindorf discloses an information processing device according to claim 1, wherein the means (320) for changing the display brightness (Paragraph 34) includes means for instantly changing the display brightness (Paragraph 72, lines 15-16) to the brightness determined by the means (352) for determining the target display brightness (paragraph 29 and 61) when the lightness is changed and means (348) for deciding whether to switch the brightness change by the means (348) for instantly changing (Paragraph 72, lines 15-21).

As to claims 3 and 10, Luther Weindorf discloses an information-processing device comprising:

the means (320) for changing the display brightness (Paragraph 34, lines 2-3)

includes means (352) for setting the display brightness (paragraph 61, lines 6-9) of the

display unit to a first brightness level (Table 1, Sn = 1) responsive to the means (320)

for detecting the lightness (Paragraph 38, lines 1-3) when a first brightness level (Table

1, Sn = 1) is detected by the means (320) for detecting the lightness (paragraph 38,

lines 1-3) and to a second brightness level (Table 1, Sn = 44) when a second lightness

level is detected by the means (320) for detecting the lightness (paragraph 38, lines 1-

3), wherein the means (320) for first changing the display brightness first changes the

display brightness of the display unit (100) from the first brightness level (table 1, Sn =

1) to a third brightness level (table 1, Sn = 22) between the first and second brightness

levels (Sn = 22 is between Sn = 1 and 44), and then changes the display brightness

thereof from the third brightness level (Sn = 22) to the second brightness level (Sn = 44)

responsive to the means (352) for setting the display brightness (paragraph 1, lines 6-8)

when changing the display brightness from the first brightness level (Sn = 1) to the

second brightness level (Sn = 44).

As to claim 5 and 11, Luther Weindorf (Fig. 1) discloses an information

processing device, wherein the means (352) for changing the display brightness

changes the display brightness of the display unit from the first brightness level (table 1,

Sn = 1) to the third brightness level (table 1, Sn = 22), and thereafter changes the

display brightness from the third brightness level (table 1, Sn = 22) to the second

brightness level (table 1, Sn = 44) after a lapse of a predetermined time period

(paragraph 72, lines 13-15).

As to claim 7 and 12, Luther Weindorf (table 1, automatic night luminance) discloses an information processing device, which further comprising: means (320) for deciding whether or not the difference between the target brightness (ex. Table 1, Sn = 10) determined by the means (352) for determining the target display brightness and the current display brightness (ex. Table 1, Sn= 20) is greater than a predetermined value (ex. Table 1, Sn = 10, Sn=20 is greater than Sn = 10), wherein the means (352) for changing the display brightness changes the display brightness (paragraph 34, lines 2-3) in steps at regular intervals (paragraph 30, lines 24-26) until the target display brightness is reached (paragraph 72, lines 13-15, ex. Sn = 10) when the means (320) for deciding the difference (The brightness level adjusts until the step number value is close to the logarithmic value, paragraph 38, lines 3-7) decides that the difference is greater (Sn=20 is greater than Sn = 10) than the predetermined value (table 1, Sn = 10), (Paragraph 47, line 8-10).

As to claim 8, Luther Weindorf (table 1, automatic day luminance) discloses an information processing device (computer, paragraph 23, line 12), wherein when the difference is not greater than the predetermined value (table 1, Sn = 20, Sn=10 is not greater than Sn = 20), the means (352) for changing the display brightness changes instantly the display brightness of the display unit (paragraph 72, lines 16-21) to the brightness determined by the means (352) for determining the target display brightness (paragraph 29 and 61).

Conclusion

4.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

        Kim (U.S. Patent 6,812,649) discloses a device and method for controlling LCD

backlight.

        Weindorf et al. (U.S. Patent 6,507,286) discloses a luminance control of

automotive display using an ambient light sensor.

Inquiries

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Pegeman Karimi whose telephone number is (571) 270-

1712. The examiner can normally be reached on Monday-Friday 8:00am - 5:00pm

EST.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Chanh Nguyen can be reached on (571) 272-7772. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Pegeman Karimi
1/22/07

CHANH D. NGUYEN
SUPERVISORY PATENT EXAMINER